

Application No. 10/520,244

Reply to Office Action

**REMARKS/ARGUMENTS**

Applicant has carefully reviewed and considered the Office Action dated June 7, 2007 and the references cited therein. Applicant has amended claims 20, 30 and 31. Claims 21-29, 32-36 and 39-56 have been withdrawn from consideration. Applicant believes the application is now in condition for allowance. Accordingly, favorable reconsideration in light of the foregoing amendments and the following remarks is respectfully requested.

Claims 30 and 31 stand rejected under 35 U.S.C. § 112 as indefinite. Applicant has amended claims 30 and 31 to improve their clarity and address the issues noted by the Examiner. Applicant submits that the § 112 rejections have been overcome through these amendments.

Claims 20, 30, 31, 37 and 38 stand rejected under 35 U.S.C. § 102 as anticipated by Shultz (EP0722814). Applicant has amended claim 1 to clarify that what is being claimed is a band saw for cutting metal. Shultz teaches a saw for cutting green stones, not metal. Accordingly, Shultz does not disclose, at least, a saw blade configured for cutting metal and a support device for supporting a metal workpiece. Moreover, Shultz does not suggest the claimed metal band saw. Those skilled in the art of metal band saws are completely separate and different from those skilled in the art of stone saws. For instance, manufacturers of metal band saws do not make stone saws and *vice versa*.

Furthermore, as noted above, the saw disclosed in Shultz is designed for cutting green chalk stones, i.e. stones made from sand and lime. Green chalk stones are very soft. They are produced by first grinding the raw sand and lime material which is then brought into a slurry condition by adding water. The slurry is pressed to obtain the solid "green" stones. The green stones are very soft (e.g., their surface can be scratched with fingernails). The Shultz saw is designed for cutting these soft green stones. After cutting, the stones are heated in an autoclave to approximately 160°C in order to obtain their final hardness.

The softness of the stones is evident from the design of the Shultz saw. In particular, the stones lie on the workpiece table without any clamping mechanism. The cutting forces must be very low in order to be able to have the stones simply lie on the workpiece table without being clamped into place. However, metal is much harder than green stone and thus

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much higher cutting forces are required to cut metal. Such higher cutting forces cannot be achieved with the Shultz arrangement because the workpiece table would be unable to support a metal workpiece for such a cutting operation. Specifically, a metal workpiece would slide across the Schultz workpiece table when the cutting force was applied. Accordingly, Shultz neither teaches nor suggests the subject matter of amended claim 20. The claims depending therefrom are allowable for at least the same reasons as claim 20.

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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